

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN DOE,

Plaintiff,

v.

Case No: 1:22-cv-01828-SEB-MG

BUTLER UNIVERSITY,

Defendant.

**MOTION TO EXCLUDE EXPERT TESTIMONY
OF BILLIE-JO GRANT, PH.D.**

Defendant Butler University, by counsel, pursuant to Federal Rule of Civil Procedure 702, respectfully requests that the Court enter an order excluding Billie-Jo Grant, Ph.D. from providing expert testimony at trial.

As set forth in more detail in Butler's brief in support of this motion, Dr. Grant's testimony does not meet the standards of F.R.C.P. 702 or *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). Dr. Grant's credentials, which relate largely to sexual misconduct by educators, do not qualify her to assert these opinions or any opinions about this case. The methodology Dr. Grant used to formulate her opinions is no more complex or nuanced than a layperson can perform when presented with the evidence at trial. Primarily, however, Dr. Grant should be excluded from testifying because her analysis is unrelated and unhelpful to the pending issues in this case. Her expertise, analysis, and conclusions will not assist a jury in understanding any relevant evidence or deciding any facts at issue.

WHEREFORE, Defendants, by counsel, respectfully request that the Court enter an order excluding Billie-Jo Grant, Ph.D. from providing expert testimony at the trial of this matter.

Respectfully submitted,

Liberty L. Roberts

Liberty L. Roberts, Atty. No. 23107-49

Cassie N. Heeke, Atty. No. 36497-49

CHURCH CHURCH HITTLE + ANTRIM

Two North Ninth Street

Noblesville, IN 46060

Attorney for Defendant Butler University

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March 2024 a true and exact copy of the foregoing was filed electronically via the Court's Electronic filing system. Notice of this filing was sent to the following persons by operation of the Court's Electronic filing system.

Jonathan Little
SAEED & LITTLE, LLP
133 W. Market Street #189
Indianapolis, IN 46204
jon@sllawfirm.com

Attorneys for Plaintiff John Doe

Stuart Bernstein
Kristen Mohr
Andrew T. Miltenberg
NESENOFF & MILTENBERG, LLP
363 Seventh Avenue, Fifth Floor
New York, New York 10001
sbernstein@nmlplaw.com
kmohr@nmlplaw.com
amiltenberg@nmlplaw.com

Regina M. Federico
NESENOFF & MILTENBERG, LLP
101 Federal Street, 19th Floor
Boston, Massachusetts 02110
rfederico@nmlplaw.com

Attorneys for Plaintiff John Doe

Liberty L. Roberts

Liberty L. Roberts

CHURCH CHURCH HITTLE + ANTRIM
Two North Ninth Street
Noblesville, IN 46060
T: (317)773-2190 / F: (317)773-5320
LRoberts@cchalaw.com
CHeeke@cchalaw.com